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Hon. Judge Leda Dunn Wettre
Martin Luther King Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 077101

September 27, 2016

To be made part of the Official Record

RE: *Purpura v. JPMorgan Chase et al.* Civil RICO Action No. 2:16-cv-03765

Dear Judge Wettre:

On June 27, 2016, Plaintiff served this Honorable Court and with proof of service. Summons was issued and entered on June 27th 2016 [Doc. 1].

On July 1, 2016, proof was presented to this Honorable Court that Defendants JPMorgan Chase acknowledged and accepted service on July 1, 2016 [USPS signed receipts].

By law, the Fed. R. Civ. P. (see Rule 12(a)(2)) require in a RICO action, that Defendants answer with Specificity and Particularity (see Rule 8(b), 8(d) intertwined with Rule 9) within 21 + 1 days after receipt of said Motion, or suffer a forfeiture.

On July 19, Defendants' counsel e-mailed Plaintiff requesting a postponement to answer the Complaint until August 23, 2016, Plaintiff rejected their request.

On July 20, 2016, Defendants' counsel submitted a procedurally infirm letter to the Court requesting the Court postpone the deadline until August 23, 2016 [Doc 11]. The FRCP are unambiguous, Defendants were to submit a "Motion for an Enlargement of Time" with an explanation demonstrating excusable neglect, for not complying with the Federal rules. No Motion was submitted nor was any justifiable excuse for neglect set forth by Motion – As learned counsel is aware, according to Rule 6, they forfeited any right to an extension of time.

On July 26, 2016, Plaintiff submitted/filed a Request for Motion of Default Judgment [Doc. 14] received and stamped by the Court on July 22, 2016, at 10:55.

On July 28, 2016, [Doc 15], subsequent to being in default, Defense counsel submitted a second letter, in response to Plaintiff's request to an entry Default. *Void a "Motion for an enlargement of time", that letter failed to set forth any reason for excusable neglect.*

Defendants, at all times, acknowledged by their performance, ratification of all Motions submitted by Plaintiff, including the Motion for Default [Doc 16]. Plaintiff's Motion for Default was curiously denied claiming a "technicality," that it was not accompanied by a proof of effective service, despite Defendants' acknowledged receipt of that Motion.

On July 28, 2016, despite Rule 6's prohibition, Defendants, being in Default, were granted an extension of time to respond until August 23, 2016 [Doc 17] .

On July 29, 2016, Plaintiff re-filed a 2nd Motion for Default. A date was set for September 6, 2016, before the Hon. Judge Michael Vasquez – The Default Judgment, accompanied by a letter "To be made part of the Official record", drew the Court's attention to Rules that had been blatantly violated by seasoned litigators [Doc 18]. Defendants were in default as of **July 22, 2016.**

On August 1, Plaintiff, by Opposition Reply, opposed the grant of an extension of time until August 23, 2016 [Doc 19] based solely upon invalid and procedurally infirm letters to the Court.

On August 17, 2016, based on established law, Plaintiff requested Judicial Intervention [Doc 20] and Motion to Recall & Vacate the invalid and procedurally infirm grant of enlargement of time.

Plaintiff, a Constitutional lecturer, admittedly not an attorney, questions what legal authority exists to justify Defense counsel's submission of any Motion to Dismiss (August 23, 2016 [Doc. 23]) subsequent to being in Default? Defense counsel suddenly attempts to use the FRCP (Rule 12(b)(1) and 12(b)(6)) and fraudulent, perjurious documents against the Petitioner, when all previous filings abandoned the FRCP.

On September 13, 2016, Plaintiff filed a Motion for Summary Judgment [Doc. 31] that was to be heard on October 17, 2016. That Motion was thereafter terminated by letter Order issued on September 21, 2016, [Doc. 32], despite it's being the *only* valid and procedurally *firm* Motion before the Court based upon adherence to the FRCP.

Plaintiff humbly and respectfully asks this Honorable Court for Clarification of why Plaintiff's request for Summary Judgment was deemed premature. He had fully complied with all the rules set forth in the FRCP. Defendants' counsel clearly had not. X

Defendants, throughout these proceedings, proceed as if they are exempt from complying with the rules set forth in the FRCP.

Plaintiff believes that, by law, the only valid, legal, and proper pleading to be adjudicated before this Honorable Court is Plaintiff's. Defendants failed to submit a single pleading in compliance with the FRCP. If Defendants, seasoned litigators, believe they're exempt from compliance with the FRCP, let Defendants take that matter up on appeal to the Court of Appeals for the Third Circuit.

Plaintiff thanks this Court in advance for it's clarification.

Respectfully submitted,

Nicholas E. Purpura, Chaplain

cc; Buckley Madole, Evan Maxwell Sampson, Esq.

X The Court set forth the basis for its order in ECF No. 32.

SO ORDERED.

10/4/16

Leda D. Wettre, USMJ